

MEMORANDUM FOR: D/DCI/NIO		<div data-bbox="1042 457 1195 533"></div>
George:	<u>File (in my safe)</u>	
<p>The ADD group has developed with the General Counsel the attached. All Deputies have been provided a copy. The intention is to pass along the general substance to any employee to whom an inquiry is made with respect to the current investigations. There is no intention of disseminating this as a formal notice.</p>		
		<div data-bbox="760 919 1107 1020"></div>
		AD/DCI/IC
		<u>7 February 1975</u>
		(DATE)

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FORM NO. 101 REPLACES FORM 10-101  
AUG 54 WHICH MAY BE USED.

(47)

*Am. and C. H. Papers  
related to C. H. Inquiry*

6 February 1975

1. In the conduct of the investigation to collect facts on past Agency activities for transmission to the President's Commission, congressional committees and Department of Justice, the Inspector General and his representatives will advise each person interviewed of his constitutional right to remain silent. Technically the so-called Miranda Warning is not required unless the person being questioned is in custody. This being so, employees who are questioned or volunteer information in the course of our own investigation, if not warned, might incriminate themselves and find the information they have provided admissible as evidence in a subsequent criminal proceeding. As you know, we hope and believe that no Agency employee will be charged with a criminal offense, but we cannot assure employees of this, nor will the Department of Justice provide any assurance until their investigation is completed.

2. Because some employees may volunteer information to their immediate supervisors or others in the chain of command other than the Inspector General, we wish to make certain that before giving any information they are advised of their rights. Attached is a copy of a warning to be given to any employee asked or volunteering to provide information. It is the warning that will be used by the Inspector General.

3. Each Deputy Director and head of an independent office should disseminate this memorandum and the attached warning to the heads of components and any others in his command to whom employees are likely to volunteer information on past Agency activities pertinent to this investigation. The individuals to whom this information is disseminated should be directed to read the warning to any employee who seeks to volunteer information and to do so before the information is given. The Inspector General should be informed that information has been volunteered and a record should be made of the fact that the individual was informed of his rights before providing the information.

Attachment

6 February 1975

The purpose of this investigation by the Agency is to collect facts as required for submission to the President's Commission, various congressional committees, and the Department of Justice. The Department of Justice is reviewing certain past Agency activities for possible conflict with the criminal code. Before you answer any questions, we would like to be sure you know you have the constitutional right to remain silent and that anything you say and any statement you make may be used as evidence against you. Of course you have the right and privilege to confer with private counsel prior to answering any questions. Do you understand and do you have any questions?